

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6

Attorney Docket No.: 21415-0015US

Applicant(s)	Ian Hector FRAZER	Confirmation No.: 8451
Appl. No.:	10/534,130	Group Art Unit: Unassigned
Filing Date:	May 6, 2005	Examiner: Unassigned
Title:	A METHOD FOR OPTIMISING GENE EXPRESSION USING SYNONYMOUS CODON OPTIMISATION	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) prior to the mailing date of the first official action, therefore, no fee is required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.


RELEVANCE

The documents came to the Applicant's attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: December 20, 2005

By 

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/534,130
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Filing Date	May 6, 2005
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First Named Inventor	Ian Hector FRAZER
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Group Art Unit	Unassigned
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Examiner Name	Unassigned
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Attorney Docket Number	21415-0015US
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)					
	A01	WIPO	WO 00/42215 A1	7/20/2000	The Univ. of Queensland		
	A02	WIPO	WO 00/42190 A1	7/20/2000	The Univ. of Queensland		
	A03	WIPO	WO 99/02694 A1	1/21/1999	The Univ. of Queensland		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign (+) inside this box ☐ PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet <u>2</u> of <u>2</u>		Complete if Known	
		Application Number	10/534,130
		Filing Date	May 6, 2005
		First Named Inventor	Ian Hector FRAZER
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Attorney Docket Number	21415-0015US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A04	KAZUYUKI KAWAKAMI et al., "Different Lengths of a Polymorphic Repeat Sequence in the Thymidylate Synthase Gene Affect Translational Efficiency But Not Its Gene Expression", Clinical Cancer Research, December 2001, pp. 4096-4101, Vol. 7	
	A05	C. MAGNUS STENSTROM et al., "Influences on translation initiation and early elongation by the messenger RNA region flanking the initiation codon at the 3' side", Gene, 2002, pp. 1-8, Vol. 288	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.